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April 20, 2001

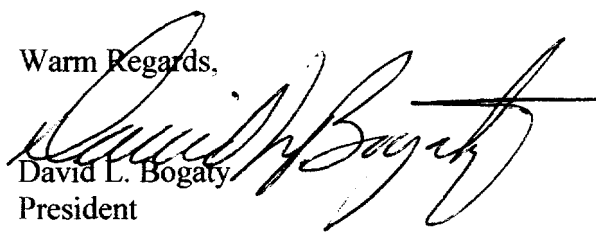
Magalie Roman Salas, Secretary  
Federal Communications Commission  
The Portals  
445 Twelfth Street, S.W.  
Washington, D.C. 20554

Dear Ms. Roman Salas

Yesterday I sent the attached e-mails to Sarah Whitesell, legal advisor to Commissioner Tristani. This information is in relation to WorldNet's exparte filing with CC Docket 98-141, 98-184

If you have any questions or concerns you may contact me at 787-277-0210 or at [Dbogaty@Worldnetpr.com](mailto:Dbogaty@Worldnetpr.com).

Warm Regards,

  
David L. Bogaty  
President

No. of Copies rec'd 0  
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P I O N E E R I N G   T H E   F U T U R E   O F   T E L E C O M M U N I C A T I O N S

PLAZA CAPARRA AVE. F.D. ROOSEVELT, SUITE 204 SAN JUAN, P.R. 00922 TEL. (787)277-0210 FAX. (787)277-0788

Day

My RESPONSES are written in CAPS. You may call if you would like to discuss further

On

**Subject: Minutes of 3-27-01 discussion**

Cris, I want to make sure we both agree on what was discussed and agreed upon. I also added to a few of the areas when I recognized the need. Please let me know if your recollection of any of the agreements is different or if any of the new requests are not acceptable so we can discuss alternatives. Also, please feel free to offer alternatives.

Agreed:

1) We will have the outstanding amount of Municipio of Coamo invoiced to WorldNet in pending status while PRT assists WorldNet in trying to collect the money from Coamo. My understanding is this assistance was to take place immediately and would involve contacting the Municipality of Coamo. This is in effort to make the issue of liability for the outstanding balance a non-issue since WorldNet believes that PRTC accepted liability by turning the account up immediately after WorldNet suspended service for non-payment.

AGREED TO HOLD THE OUTSTANDING BALANCE WHILE WORLDNET ATTEMPTS TO COLLECT. MY ASSISTANCE DOES NOT CONSIST OF CONTACTING THE MAYOR BUT IN ALLOWING YOU A REASONABLE TIME TO COLLECT. BY THIS ACTION I AM ACCEPTING NO LIABILITY SINCE I BELIEVE PRT ACTED IN THE BEST INTEREST OF THE PUBLIC.

New:

This was not discussed, however, I would like to add that we agree to this for the next 90 days. If no payment is received I believe we need to discuss other alternatives. Is this acceptable to you?

I WILL AGREE TO 60 DAYS.

Agreed:

2) We agreed that Angel will assist us in setting up meetings with Barbara Nash to discuss all billing changes that will occur with PRT's new system that effect WorldNet. We also agreed that WorldNet will have access to knowledgeable personnel within Verizon to discuss any other issues involved in the system change that effect WorldNet as often and soon as necessary, within reason, but a minimum of once per week. I will have Gloria contact Angel.

RESPONSE: I CONCUR

Agreed:

3) We agreed that PLOC requests for under 50 lines per account will be processed within 5 days, for accounts with no problems. Accounts over 50 are pending an answer from Angel, but it will be much quicker than 60 days.

Lambert's RESPONSE:

WE DISCUSSED THAT ON THE AVERAGE WE WILL MAKE OUR BEST EFFORT FOR PROCESSING THE PROVISIONING WITHIN 5 DAYS, HOWEVER, ACCORDING TO OUR RESALE HANDBOOK, PAGE 14 - 1 THE FOLLOWING IS OUR OFFICIAL COMMITMENT TO ALL RESELLERS:

WHEN PLOC IS REQUIRED THE COMPLETION TIME FOR A PON WILL BE:

1	-	10	LINES =	2 DAYS
11	-	50	LINES =	15 DAYS
50	-	100	LINES =	30 DAYS
SPECIAL SERVICES			=	60 DAYS

ACCOUNT RECONCILIATION WILL BE PERFORMED BY WHOLESALE BEFORE AN ACCOUNT IS PLOC TO A RESELLER.

New:

Cris, we need to set standards for accounts that have problems, because they represents a significant number and we have major accounts with valid paperwork waiting over 12 months!

RESPONSE: AGREE THAT THERE SHOULD BE NO PROBLEM THAT TAKES 12 MONTHS TO BE RESOLVED. IF THERE ARE ANY PRESENTLY IN THAT CONDITION PLEASE ADVISE SO THAT I MAY ASSIST IN RESOLVING

New:

Also, I know we did not discuss this, but we need to know what standards PRT will be using in the future to reactivate WorldNet numbers that have been ordered for disconnect by WorldNet. For example, you mentioned fear of liability and disconnection of emergency services. In order for WorldNet to make its policies we need to know what PRT's specific policy regarding this is.

RESPONSE: I BELIEVE WE TOUCHED BRIEFLY ON THIS SUBJECT AND I STATED THAT WE WOULD NEED TO TREAT SITUATIONS DEEMED "EMERGENCY" OR THAT COULD HAVE "PUBIC IMPACT" ON AN INDIVIDUAL BASIS.

Thanks again for discussing this with us. Let's keep moving the items listed forward so we can discuss bigger and better ways our companies can team up.

DAVID, AS I SHARED WITH YOU, WORLDNET IS A VERY IMPORTANT CUSTOMER TO PRT AND WE APPRECIATE YOUR BUSINESS. I TRULY WANT TO RESOLVE OUTSTANDING ISSUES SO THAT WE MAY FOCUS ON GROWING BOTH OF OUR BUSINESSES. THANK YOU AGAIN FOR TAKING THE TIME TO DISCUSS THESE ISSUES WITH ME. I KNOW WE WILL BE ABLE TO WORK TOGETHER ON THE SOLUTION.

CRIS

RECEIVED

APR 24 2001

FCC MAIL ROOM

April 15, 2001

Ms. Cristina Lambert  
Vice President GM Wirline  
PRT  
PO Box 360998  
San Juan, PR 00936-0998

Dear Cris:

Thank you for responding to my minutes so promptly. I appreciate you taking the time to follow through. Unfortunately, your responses leave me deeply concerned for the state of the industry. They seem to indicate PRT's desire, or willingness, to continue to operate in a monopolistic fashion.

Your response about how PRT will handle issues of reconnecting WorldNet's accounts without authorization that, "WE (PRT) WOULD NEED TO TREAT SITUATIONS DEEMED "EMERGENCY" OR THAT COULD HAVE "PUBLIC IMPACT" ON AN INDIVIDUAL BASIS," is granting PRT the right to make subjective, and arbitrary decisions, giving PRT anti-competitive power, that will negatively impact competitors in the industry.

The current issue with the WorldNet account Municipio de Coamo is an example. After WorldNet disconnected lines from "Municipio de Coamo" for non-payment PRT unilaterally deemed it "In the public's best interest" to reconnect it without WorldNet authorization and transfer the account immediately back to PRT's service. At the customers request this was completed in a matter of hours. Therefore, PRT deprived WorldNet of its most powerful tool to collect its money (Temporary disconnection of service) by granting itself monopolistic powers to reconnect any customer within hours. Your statement that WorldNet is still responsible for the account's debt follows this and illustrates how this power can be used to cripple competition. This is not a mutual power and it is apparent that this could be used unfairly against any competitor impede or destroy their business.

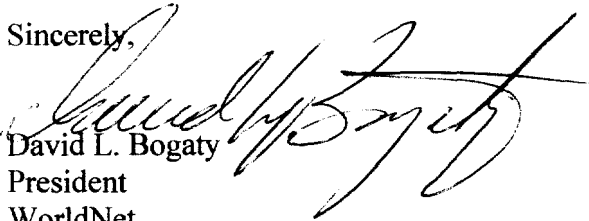
Again you appear to acknowledge PRT's granting itself monopolistic powers in your response to the issue of account transfer time frames. In your response you apply to WorldNet transfer time frames from a manual that does not yet exist, and that in our discussions we have repeatedly stated were unacceptable. As per our contract, the old manual was written as a joint effort among the industry and PRT, but now your response indicates that PRT is unilaterally rewriting it with substantial changes. Because of PRT's resistance, this manual is not subject to approval from the Puerto Rico

Telecommunications Regulatory Board and now PRT is denying the industry any voice in what procedures, policies and time frames they will be subject to. We are at your mercy.

These type of issues are the reason WorldNet felt compelled ask the FCC to get involved in the Puerto Rico market. I have tried diligently over the past years to negotiate mutually acceptable standards of operations for wholesale markets with PRT, and will continue to try, but the examples above are just further evidence PRT is slipping backwards instead of progressing forward. I hope we can change the direction this situation is heading and operate together to create a fair playing field.

Cris, we have some serious issues here. How would you like to proceed? I will call you this week to discuss further.

Sincerely,

  
David L. Bogaty

President  
WorldNet

To: (unknown), DBOGATY  
From: "Sarah Whitesell", INTERNET:SWHITESE@fcc.gov  
Date: 4/19/01, 12:04 PM  
Re: Re: Dates Coming to Puerto Rico?

The Commissioner would be happy to have the ISP participate. It strikes us, as I suggest  
Someone could give us a sense of the level of competition in each area (wireless, long  
Then we could talk about issues related to problems with local interconnection, etc.

Here's the address:  
Magalie Roman Salas, Secretary  
Federal Communications Commission  
The Portals  
445 Twelfth Street, S.W.  
Washington, D.C. 20554

talk to you soon --  
Sarah

>>> David Bogaty <DBOGATY@compuserve.com> 04/18/01 05:49PM >>>  
Oh... I just got a request to attend from an ISP on the Island that  
competes with PRT in that business and would like to come to share his  
experiences. I said that it would be fine, unless you do not want that.  
There are several non CLEC/Resellers that are interested in sharing their  
complaints. We are filtering out most of them to keep it from turning into  
a general complaint session.

You mentioned you are meeting with PRT on the 26th. Can you give me any  
insight on what you plan to accomplish in your meeting with PRT?

By the way we have scheduled our first negotiations for our interconnect  
contract on the 26th, the same day as your meeting. They have already  
warned me that if I accept the inferior and incomplete contract template  
that they have (which does not include UNE-P) we should finish quickly.  
But if I want to get fancy by trying to insert any parts of a Verizon  
Template they will delay the contract for the 135 days and force  
arbitration. That will delay UNE-P coming to market for over a year and  
will cost us well over \$100,000 while they fight every minute detail. This  
has been their strategy for any competitor that does not want to play by  
"Their" rules.

THIS IS WHY COMPETITION DOES NOT EXIST IN PUERTO RICO !!

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